

right. A reduction in the ozone standard would translate into an annual cost savings of approximately \$1 billion in labor expenditure.

We have countless scientific studies that clearly display the negative health risks associated with unregulated ozone pollution. Nevertheless, critics continue to play a dangerous role in denouncing the science and the law EPA has used for more than 40 years.

The science cannot be ignored. Now is the time to protect the most vulnerable among us. Now is the time to fight for better air quality across the country. Now is the time for action to protect American health and the environment.

We cannot afford to wait. Clean air is essential to a healthy community and a strong economy.

GENIUS OF THE CONSTITUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, the genius of our Constitution can be found in the separation of powers that has preserved our freedom for 225 years.

The American Founders recognized that what had gone so terribly wrong in Europe was that the same organ of government that made the law also enforced that law and adjudicated it. All the powers were in the same hands. They wanted to protect their new Nation from such a fate.

So they divided the powers of government. Congress, and Congress alone, makes the law. "All legislative power herein granted shall be vested in a Congress of the United States."

You want many voices in that decisionmaking process. You want a great, big, messy debate. That is the Congress.

Once that decision is made, it needs to be carried out by a single will, a single branch, headed by one individual whom the Constitution commands to "take care that the laws be faithfully executed." One person does not get to make the law in this Republic. The President is called upon to enforce the law.

Fundamentally, that means he does not get to pick and choose which laws he will enforce and which laws he will ignore. He does not get to pick and choose who must obey the law and who gets to live above the law. And he does not get to change laws or make laws by decree.

That is the difference between the American Republic that prides itself on being a nation of laws and not of men and the European despots of old who boasted that the law was in their mouths.

Mr. Speaker, last week the President asserted an entirely unconstitutional power to nullify existing immigration law by ordering the executive branch to simply ignore it. Further, he has or-

dered 34 million green cards to allow businesses to hire illegal immigrants, despite Federal law that explicitly forbids their employment.

Throughout our Nation's history, executives have tested the limits of their power, but this act crosses a very bright line. Fortunately, the American Founders anticipated that some day a President might attempt to subvert the Constitution in this manner, and they provided a variety of defenses available to both the legislative and the judicial branches.

The legislative branch has the power of the purse, but that power is temporarily constrained by the partisan division between the House and the Senate. Fortunately, the American people have acted to end that division in January.

But I fear that any confrontation between the executive and the legislative branches could ultimately end in stalemate. The third branch of government, the judiciary, must be brought into this process.

Since our earliest days, the Supreme Court has guarded our Nation from unconstitutional acts by both the legislative and executive branches, and that role is desperately needed now. I believe there is no substitute for Congress doing everything within its power to invoke judicial intervention.

I cannot believe that even the most devoted liberals on the bench can be comfortable with this brazen act of usurpation. Assuming the Court stands with the Constitution, the President would have no choice but to back down or face a catastrophic public and congressional backlash.

Whether we choose to recognize it, this is a full-fledged constitutional crisis. If allowed to stand, this precedent renders meaningless the separation of powers and the checks and balances that comprise the fundamental architecture of our Constitution. If it stands, every future President, Republican and Democrat, will cite it as justification for lawmaking by decree.

The seizure of legislative authority by the executive is fatal to a republic such as ours. Indeed, it was Julius Caesar's usurpation of the Roman senate's legislative prerogatives that brought down the Roman republic and began four centuries of dictatorship. Once the rule of one man is established over the rule of law, it is a very difficult thing to stop.

Unlike every law that is passed under our Constitution, the Constitution itself has no penalties for those who break it. The reason is that the Constitution was written to be self-enforcing, but that only happens if the powers of government are evenly balanced. The Founders relied on each branch acting to keep those powers in balance. Now, in our time, that responsibility is ours.

ASSESSMENTS IN EDUCATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Mr. Speaker, I am here this morning to discuss an important issue that we hear about when we talk with teachers, parents, students, and school administrators. In conversation after conversation, they have expressed concern about what seems like an endless stream of tests that, in many cases, do little, if anything, to improve learning or classroom instruction.

Of course, assessments play an important role in education, and high-quality assessments are valuable for informing meaningful instruction. Nonetheless, too much time is devoted to redundant, low-quality, or unnecessary tests.

In many cases, teachers administer tests, but the results aren't made available for months, and hardworking educators have little opportunity to design individualized support based on the results of those tests.

Furthermore, some of the tests are redundant. They take up time that could be used on meaningful instruction, use resources best spent elsewhere, and cause students undue stress. In other schools, too much time is dedicated to preparing for tests that are not well-aligned with State standards. Simply put, unnecessary assessments have hindered our progress as a global leader in education.

We know that the Federal Government mandates several tests each year, and States and school districts often require even more tests. Does this all make sense? Do all of these tests improve instruction, improve public education?

Today, I rise to discuss legislation that I am working on to help States and local districts implement good, reliable assessments aligned to standards, and importantly, eliminate redundant, poor-quality assessments that take valuable time from teachers and students, time that could be used on meaningful instruction.

We don't need more tests. We need better tests. My bill will use an existing grant to provide States with funding to develop assessment systems that ensure the best use of students' test results and that align assessments with college and career-ready standards.

The transition to rigorous content standards is hard work, and my bill will support States as they implement high-quality assessments linked to those standards.

Working with local educational agencies, States will create assessment plans outlining how they will improve the quality of their tests, how they will use the assessment data, and how they will make the data more accessible to educators, students, and parents.

This legislation will also support States and local districts that want to lead the way on developing more sensible assessment systems. States will be able to volunteer to audit their assessment systems and use the results to design plans to eliminate unnecessary and redundant testing.